

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-171-T - ORDER NO. 2022-274

APRIL 28, 2022

IN RE: Application of C & F Charter Service, LLC)	ORDER GRANTING
(f/k/a Carolyn Fulton d/b/a C & F Charter)	REINSTATEMENT OF
Service) for a Class C Charter Bus Certificate)	CERTIFICATE

This matter comes before the Public Service Commission of South Carolina (the “Commission”) by way of the Application of C & F Charter Service, LLC (the “Applicant”) to reinstate the Applicant’s Class C Charter Bus Certificate No. 0174-A.

On March 2, 2021, a Petition was filed by the South Carolina Office of Regulatory Staff (“ORS”) to Revoke Certificates of certain motor carriers for failure to maintain and file evidence of insurance¹; thereby failing to comply with the statutes governing operations of motor vehicle carriers in South Carolina. The record reflects that the Applicant was listed in and served with the Petition to Revoke Certificates for noncompliance.

For those motor carriers who had not responded to the prior notifications of noncompliance, a virtual hearing regarding the Petition was held on May 26, 2021. The Commission found on June 9, 2021, that the Certificates held by certain carriers, including the Applicant, should be revoked and cancelled for the violation of failing to file evidence

¹ See Docket No. 2021-71-T.

of insurance. Accordingly, on July 2, 2021, the Commission issued Order No. 2021-388, which cancelled the Applicant's Certificate No. 0174-A.

By request filed August 12, 2021, the Applicant requested that Certificate No. 0174-A be reinstated. On August 26, 2021, the Commission granted this request in Order No. 2021-541, provided the Applicant comply with all applicable statutes and Commission rules and regulations within ninety (90) days. Order No. 2021-541 reads:

3. Failure of the Applicant to complete the above [compliance] process within ninety (90) days of the date of this Order , or within such additional time as may be authorized by the Commission.... shall cause this Order to become null and void, thereby rescinding the authority granted for reinstatement of the Applicant's Certificate. In this event, the request for reinstatement shall be dismissed without prejudice, and no further action by the Commission is necessary.

4. The ORS is requested to furnish to the Commission, every two months, the names and docket numbers of those applicants whose order becomes null and void under the terms of the previous paragraph.

Order No. 2021-541, pp. 2-3.

The South Carolina Office of Regulatory Staff (ORS) filed its bimonthly report, dated March 3, 2022, informing the Commission of the transportation orders that had been rescinded. In Exhibit A to ORS's filing, the motor carriers who failed to comply were listed. According to ORS, "[t]hose Orders listed on Exhibit A are rescinded due to respective Applicants' failure to comply with the terms and conditions of the Orders within the ninety (90) day deadline established by the Commission." ORS Letter dated March 3, 2022. C & F Charter Service, LLC was one of the motor carriers listed on Exhibit A for noncompliance; thereby Order No. 2021-541 granting reinstatement of C & F Charter Service, LLC's Certificate was rescinded. *Id.*, Exhibit A.

The Applicant, by request filed April 5, 2022, once again seeks reinstatement of the Certificate in question. We note that the original Application for certification of C & F Charter Service, LLC, which is on file with the Commission, provides documentation regarding the Applicant's stated knowledge of and commitment to abide by all relevant statutes and Commission regulations.

The Commission has reviewed the case before it, and after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations, and that prior to such compliance and certification, regulated motor carrier services shall not be provided by the Applicant.

IT IS THEREFORE ORDERED:

1. That Class C Charter Bus Certificate No. 0147-A of C & F Charter Service, LLC be, and hereby is, reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

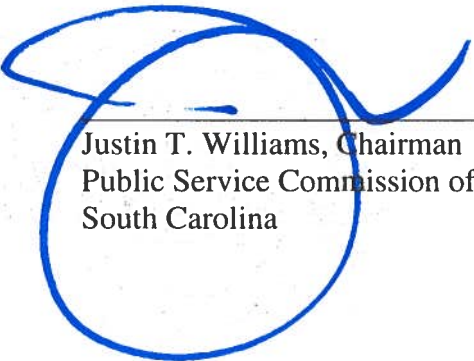
3. Failure of the Applicant to complete the compliance process within ninety (90) days of the date of this Order, or within such additional time as may be authorized by the Commission should an extension of time be approved prior to the expiration of the ninety (90) day time period, shall cause this Order to become null and void, thereby rescinding the authority granted for reinstatement of the Applicant's Certificate. In this

event, the request for reinstatement shall be dismissed without prejudice, and no further action by the Commission is necessary.

4. The ORS is requested to furnish to the Commission, every two months, the names and docket numbers of those applicants whose order becomes null and void under the terms of the previous paragraph.

5. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



Justin T. Williams, Chairman
Public Service Commission of
South Carolina